

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

FILED
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PUBLIC UTILITIES
COMMISSION

In the Matter of)

PUBLIC UTILITIES COMMISSION)

Instituting a Proceeding to)
Investigate Proposed Amendments)
to the Framework for Integrated)
Resource Planning.)
_____)

Docket No. 2009-0108

COUNTIES OF HAWAII, KAUAI, AND MAUI's RESPONSES TO
INFORMATION REQUESTS FROM
KAUAI ISLAND UTILITY COOPERATIVE (KIUC),
HAWAII RENEWABLE ENERGY ALLIANCE (HREA) AND
HAWAIIAN ELECTRIC COMPANIES (HECO)
AND
CERTIFICATE OF SERVICE

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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Instituting a Proceeding to)	Docket No. 2009-0108
Investigate Proposed Amendments)	
to the Framework for Integrated)	
Resource Planning.)	
_____)	

COUNTIES OF HAWAII, KAUAI, AND MAUI'S
SUBMISSION OF RESPONSES TO INFORMATION REQUESTS FROM KAUAI
ISLAND UTILITY COOPERATIVE (KIUC); HAWAII RENEWABLE ENERGY ALLIANCE
(HREA) AND HAWAIIAN ELECTRIC COMPANIES (HECO)

Pursuant to the Order Approving the Stipulated Procedural Order, as modified, dated September 23, 2009, the Counties of Hawaii, Kauai, and Maui submit their Responses to Information Requests on the Counties' Preliminary Statement of Position (PSOP) filed in this docket from the Kauai Island Utility Cooperative (KIUC), Hawaii Renewable Energy Alliance (HREA), and Hawaiian Electric Companies (HECO).

DATED: Hilo, Hawaii, November 23, 2009.

LINCOLN S.T. ASHIDA
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Counsel for Intervenor
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By



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DATED: Lihue, Hawai'i, November 18, 2009.

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By


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Deputy County Attorney

DATED: Wailuku, Hawai'i, November 19, 2009.

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COUNTY OF MAUI

By 
MICHAEL J. HOPPER
Deputy Corporation Counsel

KIUC-PSOP-IR-2

Re: Counties Preliminary SOP, page 9.

In their Preliminary SOP, the Counties state, in relevant part, that Governing Principle #6 of the current IRP Framework be expanded to require that "[e]ach utility shall model at least five resource portfolios/scenarios proposed by each utility's Advisory Group."

Please provide a detailed explanation as to the reasoning behind the Counties' recommendation to **require** at least five resource portfolios/scenarios from each Advisory Group, including but not limited to explanations as to why the minimum number of five portfolios/scenarios was selected. For example, based on KIUC's prior experience with advisory groups, KIUC has found that prior advisory groups tend to prefer responding to proposals made by the utility as opposed to proactively proposing initiatives on their own. Given that, does the County of Kauai believe that this requirement should be applicable to KIUC's planning process? Please explain.

RESPONSE:

First, the Counties would like to clarify our preliminary position by deleting the words in brackets and adding the following underlined words to our original proposal, "Each utility shall model [at least] up to five resource portfolios/scenarios proposed by each utility's Advisory Group, if proposals are submitted by the Advisory Group." The submittal of proposals was intended to address potential conflicts between a utility and one or more advisory group members and if no conflicts arise, then a utility would proceed without the need to model additional proposed portfolios/scenarios. We are not proposing five portfolios/scenarios as a minimum number.

Historically, Kaua'i has not had this problem with modeling under KIUC's IRP, but that does not mean that potential conflicts with advisory group members could not occur in the future. As a member of past KIUC advisory groups, the County of Kauai will agree that prior advisory groups have preferred to respond to proposals made by the utility as opposed to proactively proposing initiatives on their own. However, the County believes that this is partly a group response dictated by the makeup of the advisory group

members, which may change if and when more technically-oriented and/or opinionated members serve on the Advisory Group.

KIUC-PSOP-IR-3

Re: Counties Preliminary SOP, page 13.

In their Preliminary SOP, the Counties state, in relevant part, that they believe that their Preliminary Statement of Position is relevant to both electric cooperatives and investor owned utilities and that they “are open to reviewing specific recommendations and discussions from” KIUC. Does the County of Kauai believe that the ownership differences between KIUC and an investor-owned utility should be considered in establishing this framework? If so, should this be done through KIUC establishing its own framework, through the waiver/exemption process contained in the HECO Companies’ proposed CESP process, through a separate section or sections for electric cooperatives, or through some other mechanism? Please explain.

RESPONSE:

The Counties believe that a single, generic integrated resource planning framework should cover both investor-owned utilities and member-owned cooperatives such as KIUC. The original IRP was applicable to and accommodated by KIUC as demonstrated by the last IRP filed by KIUC which was subsequently cancelled by Commission action. The Counties believe that the ownership differences between KIUC and an investor-owned utility should be considered in establishing this framework. Either a waiver/exemption process or a separate section for electric cooperatives in the modified IRP/CESP framework would be acceptable mechanisms to address KIUC’s unique ownership structure. The rationale for having one generic IRP/CESP framework with accommodations for special circumstances such as for KIUC would enable the IRP framework to accommodate not only electric cooperatives, but could also accommodate non-electric utilities such as The Gas Company. The Counties do not support a totally separate Integrated Resource Planning framework for KIUC at this time.

HREA-IR-1

In its Preliminary Statement of Position ("PSOP"), HREA proposed a set of governing principles that were broken down into the three following categories: overall, resource selection and acquisition, and IRP process. These proposed principles are listed below without the explanatory text that was included in our PSOP, and edited for clarity:

- Overall IRP Goals are to:
 - Meet forecasted electrical energy demand (MW, MWHs) via demand- and supply-side resources over the IRP period.
 - Identify and meet state energy objectives, and comport with state and county environmental, health, and safety laws by formally adopting state and county plans.
 - Maintain and enhance electrical system reliability, safety and security to facilitate state energy objectives and policies.
- Resource Acquisition and Operation to:
 - Establish and maintain a "no regrets policy" for resource acquisition, e.g., energy efficiency, conservation, renewables and storage.
 - Phase out conventional fossil facilities.
 - Establish and maintain preferred acquisition methods, e.g., net metering, feed-in tariffs, competitive bidding and non-bid contracts.
 - Prioritize implementation of distribution generation over central generation.
 - Design, modify, and operate the utility system to maximize the use of clean energy resources.
 - Mitigate power outages after catastrophic events.
- IRP Process will include:
 - Ongoing, open, transparent, efficient and nimble.
 - Clear definition of roles, responsibilities and legal standing of all IRP participants.
 - A basic plan for a period of 20 years with an action plan of five or more years, annual reviews and flexible periods for major revisions every three to five years.
 - One plan for each island utility and an overall plan for the island chain.
 - Incorporation of appropriate analytical methodologies, such as discounted lifecycle analysis and clean energy scenario planning.
 - Consideration of the plans' impacts upon the utility's consumers, the environment, local culture, community lifestyles, the State's economy, and society in general.
 - All Parties' recovery of a portion up to all costs of their participation in IRP.

That said, do the Parties support the governing principles as proposed above? Given that HREA is seeking to establish the level of support for each of the principles, please respond with detail as to:

1. Those principles that can be supported (with or without comments), and
2. Those principles that cannot be supported (with comments).

Finally, the Parties are asked to suggest additional principles, as appropriate, with supporting comments.

RESPONSE:

We are providing general comments on HREA's principles, with the understanding that discussions are still ongoing with the Counties still formulating positions, and the Counties reserve the right to change or modify any and all positions that are reflected in this IR response.

The Counties generally support the following HREA's principles in concept but reserve the right to modify its position via its Final Statement of Position based on ongoing discussions with all parties:

- Meet forecasted electrical energy demand (MW, MWHs) via demand- and supply-side resources over the IRP period.
- Identify and meet state energy objectives, and comport with state and county environmental, health, and safety laws by formally adopting state and county plans.
- Maintain and enhance electrical system reliability, safety and security to facilitate state energy objectives and policies.
- Establish and maintain a "no regrets policy" for resource acquisition, e.g., energy efficiency, conservation, renewables and storage.
- Establish and maintain preferred acquisition methods, e.g., net metering, feed-in tariffs, competitive bidding and non-bid contracts.
- Prioritize implementation of distribution generation over central generation.

- Design, modify, and operate the utility system to maximize the use of clean energy resources.
- Mitigate power outages after catastrophic events.
- Ongoing, open, transparent, efficient and nimble.
- Clear definition of roles, responsibilities and legal standing of all IRP participants.
- Incorporation of appropriate analytical methodologies, such as discounted lifecycle analysis and clean energy scenario planning.
- Consideration of the plans' impacts upon the utility's consumers, the environment, local culture, community lifestyles, the State's economy, and society in general.

The Counties have no comments either in support or opposition to HREA's following principles at this time:

- Phase out conventional fossil facilities.
- A basic plan for a period of 20 years with an action plan of five or more years, annual reviews and flexible periods for major revisions every three to five years.
- One plan for each island utility and an overall plan for the island chain.
- All Parties' recovery of a portion up to all costs of their participation in IRP.

HECO/Counties-IR-1

Ref: Governing Principle #3

On page 6, the Counties propose that "Rate and fee designs are specified as demand-side options...so that each utility's rate and fee pricing structures can be designed to complement the development of technology-based demand-side options."

- a. Please elaborate on what "demand-side options" are being referred to.

RESPONSE:

Demand-side rate designs include, but are not limited to, inclining block rate designs, time of use rate designs, lifeline rate designs, and interruptible rate designs. Demand-side fee design options include, but are not limited to generation and distribution system impact/hookup fee designs, standby charges, and interconnection charges.

HECO/Counties-IR-1**Ref: Governing Principle #3**

On page 6, the Counties propose that "Rate and fee designs are specified as demand-side options...so that each utility's rate and fee pricing structures can be designed to complement the development of technology-based demand-side options."

- b. How will the role of the public benefits fee administrator fit into this proposal if demand-side options include energy efficiency programs?

RESPONSE:

The Counties expect that a utility and the public benefits fee administrator would work together with consultants and its advisory group (and/or a technical subcommittee of the advisory group) to analyze and develop rate and fee designs that would complement the markets for technology-based demand-side options, such as energy efficiency technologies and distributed generation systems. Further, the Counties suggest that a utility and the public benefits fee administrator work with its respective advisory group on this matter now, rather than waiting for a new or revised planning process to be approved by the Commission.

HECO/Counties-IR-2

Ref: Governing Principle #4

On page 7, the Counties propose that "Integrated resource plans shall give consideration to...an estimation of externality values from consumer and community 'willingness-to-pay' perspectives." The Counties further state on page 8 that "the Counties propose the monetization of the externalities associated with various resource portfolio/scenarios by measuring various stakeholders' 'willingness-to-pay'. For example, take two resource portfolios/scenarios with the only difference between the two being the location of similar wind farms." Please elaborate on the following:

- a. If the monetization of the externalities is based on a specific location of the resource, how will the requirements of the Competitive Bidding Framework be integrated? Is it the Counties intent that the Request for Proposal for a competitively bid resource be location specific?

RESPONSE:

The Counties suggest that the use of externalities can guide a utility's Request for Proposal ("RFP") by eliminating undesirable sites and/or by identifying desirable sites for new power generation facilities. For example, a utility could work with its advisory group and community groups to assess the externalities associated with potential wave energy sites. The results could then be used to eliminate undesirable wave energy sites, if any, and focus a competitive bidding effort on one or more sites with favorable externality profiles. By way of another example, a utility could work with its advisory group and community groups to assess the externalities associated with various potential biofuels and the sources for the biofuels. The results could then be used to eliminate undesirable biofuels and/or sources of biofuels and focus a competitive bidding solicitation on one or more types and sources of biofuels.

HECO/Counties-IR-2**Ref: Governing Principle #4**

On page 7, the Counties propose that "Integrated resource plans shall give consideration to...an estimation of externality values from consumer and community 'willingness-to-pay' perspectives." The Counties further state on page 8 that "the Counties propose the monetization of the externalities associated with various resource portfolio/scenarios by measuring various stakeholders' 'willingness-to-pay'. For example, take two resource portfolios/scenarios with the only difference between the two being the location of similar wind farms." Please elaborate on the following:

- b. How long do the Counties believe it would take to survey stakeholders on their "willingness-to-pay"? How would this effort affect the overall planning process timeline?

RESPONSE:

The Counties expect that a survey of stakeholders would not need to take longer than existing efforts to characterize stakeholders' opinions and that the overall planning process timeline would not be lengthened significantly. In the long run, the Counties expect that the timeline for the development of a resource could be shortened through the use of relevant externalities.

HECO/Counties-IR-2**Ref: Governing Principle #4**

On page 7, the Counties propose that "Integrated resource plans shall give consideration to...an estimation of externality values from consumer and community 'willingness-to-pay' perspectives." The Counties further state on page 8 that "the Counties propose the monetization of the externalities associated with various resource portfolio/scenarios by measuring various stakeholders' 'willingness-to-pay'. For example, take two resource portfolios/scenarios with the only difference between the two being the location of similar wind farms." Please elaborate on the following:

- c. How will location, as a single variable in the example cited by the Counties, be factored into a "willingness-to-pay" measurement if specific attributes such as the location of a generating unit will be determined by bids received and evaluated on an RFP process to acquire new generation?

RESPONSE:

The use of a "willingness-to-pay" methodology could be used to guide the development of a RFP, as described in responses to items a. and b., above. Further, a utility could also use this methodology to evaluate and rank the responses to a RFP. For example, as previously explained, a "willingness-to-pay" methodology would be used to eliminate fatally flawed sites for wind energy development and a RFP could be prepared to solicit proposals for wind energy systems in preferred areas and in non-specified areas, but excluding proposals in fatally flawed areas. Subsequently, a "willingness-to-pay" methodology could be used to compare and rank the submitted proposals located in both the preferred areas and in the non-specified areas.

HECO/Counties-IR-3**Ref: Governing Principle #6**

On page 9, the Counties proposed that the existing Governing Principle #6 be expanded to require that "The IRP process must go beyond providing opportunities for public participation by improving the accommodation of legitimate resource options proposed by Advisory Group members. Accordingly, the Counties propose the analysis and modeling of at least five resource portfolios/scenarios recommended by the Advisory Group." Please explain the following:

- a. What criteria would be used to determine "legitimate resource options"?

RESPONSE:

The Counties have not developed criteria for determining "legitimate resource options" and at this point, we are not opposed to allowing the utility to make the determination of what constitutes a "legitimate resource option." If one or more advisory group members do not agree with a utility's determination, then we would expect that said advisory group members could challenge the utility's determination.

HECO/Counties-IR-3

Ref: Governing Principle #6

On page 9, the Counties proposed that the existing Governing Principle #6 be expanded to require that "The IRP process must go beyond providing opportunities for public participation by improving the accommodation of legitimate resource options proposed by Advisory Group members. Accordingly, the Counties propose the analysis and modeling of at least five resource portfolios/scenarios recommended by the Advisory Group." Please explain the following:

- b. What is the total number of scenarios (including those proposed by the Advisory Group) envisioned or assumed by the Counties in their suggestion for the analysis and modeling of at least five resource portfolios/scenarios recommended by the Advisory Group?

RESPONSE:

First, the Counties would like to clarify our preliminary position by adding the following underlined words to our original proposal, "Each utility shall model [at least] up to five resource portfolios/scenarios proposed by each utility's Advisory Group, if proposals are submitted by the Advisory Group." The submittal of proposals is intended to address potential conflicts between a utility and one or more advisory group members and if no conflicts arise, then a utility would proceed without the need to model additional proposed portfolios/scenarios.

Regarding the total number of scenarios envisioned or assumed by the Counties, we currently do not have a specific total number in mind. We note that in MECO's second IRP, twelve finalist plans were evaluated and at this point, we would expect a utility to model up to twelve or so portfolios/scenarios.

HECO/Counties-IR-3

Ref: Governing Principle #6

On page 9, the Counties proposed that the existing Governing Principle #6 be expanded to require that "The IRP process must go beyond providing opportunities for public participation by improving the accommodation of legitimate resource options proposed by Advisory Group members. Accordingly, the Counties propose the analysis and modeling of at least five resource portfolios/scenarios recommended by the Advisory Group." Please explain the following:

- c. Is it the Counties intent that the entire Advisory Group must come to a consensus on which five resource portfolios/scenarios are to be analyzed by the utility? If the Advisory Group cannot come to a consensus and has more than five scenarios that they want analyzed, is the utility required to analyze all the scenarios?

RESPONSE:

The Counties intent was that a maximum of five advisory group proposals should be enough to avoid conflicts amongst advisory group members. Our thinking was that the Consumer Advocate could nominate one portfolio/scenario, the DBEDT could nominate one, the County could nominate one, and two could be nominated by the other advisory group members by vote, with the top two proposals being analyzed if more than two were proposed. We felt that the government agencies, due to their fiduciary responsibilities, should be able to nominate a portfolio/scenario of their own. If advisory group members were satisfied with a utility's proposed portfolios/scenarios, then no nominations would need to be made.

The Counties suggested that a maximum of five proposals by the advisory group be considered as a starting point for discussion and we remain open to modifying this proposed number.

HECO/Counties-IR-3**Ref: Governing Principle #6**

On page 9, the Counties proposed that the existing Governing Principle #6 be expanded to require that "The IRP process must go beyond providing opportunities for public participation by improving the accommodation of legitimate resource options proposed by Advisory Group members. Accordingly, the Counties propose the analysis and modeling of at least five resource portfolios/scenarios recommended by the Advisory Group." Please explain the following:

- d. How long do the Counties expect the process of analyzing "at least five resource portfolios/scenarios" to entail and how would it impact the overall planning process cycle timeline?

RESPONSE:

The Counties do not expect any significant extension in the timeline for the overall planning process cycle. Further, the Counties expect that the ability of the advisory group to nominate portfolios/scenarios would encourage a utility to reach consensus with its advisory group to avoid the need to nominate additional portfolios/scenarios. Also, the ability of the advisory group to nominate portfolios/scenarios could save time by avoiding challenges by the advisory group, to the acceptance or approval of a plan and its action plan.

HECO/Counties-IR-4**Ref: Proposed Change to IRP Framework – Interim Filing**

On pages 11 and 12, the Counties propose that each utility prepare an interim IRP filing for review and approval by the Commission. The Counties further add on page 12 that the interim review process is expected to be mitigated by the Counties' proposal to require each utility to analyze and model at least five resource portfolios/scenarios recommended by the Advisory Group.

- a. Please elaborate on what is to be provided in the interim IRP filing.
- b. Please describe the intended standing of an interim IRP filing that is approved by the Commission?
- c. What happens if the Commission does not approve an interim IRP filing?
- d. Please describe the impact of either decision on the time it would take to perform an IRP from beginning to final decision by the Commission.

RESPONSE:

The Counties, after reviewing the Preliminary Statement of Position ("PSOP") submitted by Haiku Design and Analysis ("HAD"), withdraw our recommendation for the use of an interim IRP filing and instead, support suggestions (4) through (9) in Appendix A of HDA's PSOP.

HECO/Counties-IR-5

Ref: NRRI Comments – III. Who Are the Appropriate Participants in a CESP Process

On page 10, NRRI envisions many participants in the CESP process and states “With this diversity of participants, a neutral facilitator seems necessary.” If the HECO Companies were to propose in the CESP Framework that the CESP process would have a neutral facilitator (similar to the role of an Independent Observer under the Framework for Competitive Bidding) leading all Advisory Committee meetings, public hearings, and observing the utilities’ technical analyses, would that be an acceptable means for addressing the concerns over public participation and transparency in the CESP process?

RESPONSE:

The Counties support the use of a neutral facilitator, as suggested by HDA, in item (6) of Attachment A of their PSOP, in addition to the Counties’ suggestion that each utility shall model up to five resource portfolios/scenarios proposed by each utility’s Advisory Group, if proposals are submitted by the Advisory Group, as described above.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Preliminary Statement of Position were duly served upon the following by United States mail, first class postage prepaid, and by electronic mail, on November 23, 2009, addressed as follows:

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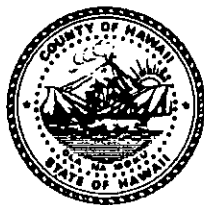
DATED: Hilo, Hawaii, November 23, 2009.

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Attorney for Intervenor
COUNTY OF HAWAII

By


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COUNTY OF HAWAII
OFFICE OF THE CORPORATION COUNSEL

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TRANSMITTAL LETTER

DATE: November 23, 2009

TO: PUBLIC UTILITIES COMMISSION
465 S. KING STREET, ROOM 103
Honolulu, HI 96813

FROM: Stacie Waltjen, Legal Clerk to 
William V. Brilhante Jr., Deputy Corporation Counsel

RE: *Counties of Hawaii'i, Kaua'i, and Maui's Responses to Information Requests from Kaua'i Island Utility Cooperative (KIUC), Hawaii'i Renewable Energy Alliance (HREA) and Hawaiian Electric Companies (HECO) and Certificate of Service re: Docket No. 2009-0108*

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ITEMS	DATE	DESCRIPTION
Original & 4 copies	11-23-09	<i>Counties of Hawaii'i, Kaua'i, and Maui's Responses to Information Requests from Kaua'i Island Utility Cooperative (KIUC), Hawaii'i Renewable Energy Alliance (HREA) and Hawaiian Electric Companies (HECO) and Certificate of Service re: Docket No. 2009-0108</i>

TRANSMITTED FOR:

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|---|--|
| <input type="checkbox"/> Your information and files | <input type="checkbox"/> Your approval & return |
| <input type="checkbox"/> Your signature and return | <input type="checkbox"/> Your review and comments |
| <input type="checkbox"/> Your signature and forwarding as noted below | <input checked="" type="checkbox"/> See remarks below |
| <input type="checkbox"/> Per your request | <input type="checkbox"/> Filing and return
Envelope enclosed. |

REMARKS: Thank you in advance for the file-marked copies of the enclosed document.

Enclosures

Hawaii'i County is an Equal Opportunity Provider and Employer